

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Stanford L. Burris	:	
	:	
Plaintiff,	:	
	:	Civ. No. 04-1469-SLR
v.	:	
	:	
Richards Paving, Inc.	:	
	:	
Defendant	:	

**DEFENDANT RICHARDS PAVING, INC.,’S
REPLY IN SUPPORT OF MOTION FOR REMITTITUR**

Defendant Richards Paving, Inc., (hereafter referred to as “Richards Paving”) hereby moves this Court to grant its motion for remittitur.

1. On December 15, 2006, defendant Richards Paving filed a motion for renewed judgment as a matter of law and for remittitur.
2. On December 19, 2006, plaintiff filed a response. Part of plaintiff’s response was that defendant had not proven that it had less than 100 employees.
3. Pursuant to the attached affidavit of Mr. Richard Piendak, President of Richards Paving, the defendant has less than 100 employees.
4. Under the Americans with Disabilities Act, plaintiff’s compensatory damages should be reduced to \$50,000.

WHEREFORE, for the reasons stated above, Richards Paving respectfully requests that this Court grant its motion for renewed judgment as a matter of law and for remittitur.

**ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.**

A handwritten signature in cursive script, appearing to read "Matthew P. Donelson", written over a horizontal line.

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Dated: December 19, 2006